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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

REARDEN LLC, REARDEN MOVA LLC,
California limited liability companies,

Plaintiffs,

v.

THE WALT DISNEY COMPANY, WALT
DISNEY MOTION PICTURES GROUP, INC.,
BUENA VISTA HOME ENTERTAINMENT,
INC., MARVEL STUDIOS, LLC, and
MANDEVILLE FILMS, INC.,

Defendants.

Case No. 3:17-cv-04006-JST
3:17-cv-04191-JST

**STIPULATION AND ~~PROPOSED~~
ORDER RE: BRIEFING SCHEDULE
ON MOTION FOR SUMMARY
JUDGMENT ON CAUSAL NEXUS
ISSUE**

Judge: Hon. Jon s. Tigar

REARDEN LLC and REARDEN MOVA LLC,

Plaintiffs,

v.

TWENTIETH CENTURY FOX FILM
CORPORATION and TWENTIETH
CENTURY FOX HOME ENTERTAINMENT
LLC,

Defendants.

1 WHEREAS, the Studio Defendants requested leave to file an early summary judgment
2 motion on the issue whether Plaintiffs can establish the causal nexus for a claim of “indirect profits”
3 under the Copyright Act (Dkt. 127, No. 17-cv-04006; Dkt. 93, No. 17-cv-04191; Dkt. 93, No. 17-cv-
4 04192).

5 WHEREAS, the Court granted the Studio Defendants’ request to file a summary judgment
6 motion on the causal nexus issue and set a briefing schedule (Dkt. 128, No. 17-cv-04006; Dkt. 94,
7 No. 17-cv-04191; Dkt. 94, No. 17-cv-04192).

8 WHEREAS, the Court entered a stipulation and order granting the Studio Defendants an
9 additional two weeks to file their moving papers, and that the other dates in the Court-ordered
10 briefing schedule should likewise be adjusted by two weeks (Dkt. 128, No. 17-cv-04006; Dkt. 99,
11 No. 17-cv-04191; Dkt. 94, No. 17-cv-04192).

12 WHEREAS, the plaintiffs have requested, and defendants have agreed, that plaintiffs may
13 have an additional week to provide their email letter identifying discovery they contend they need to
14 oppose the motion, and that the other dates in the Court-ordered briefing schedule should likewise be
15 adjusted by one week.

16 THE PARTIES THEREFORE STIPULATE:

17 [1] The schedule for the Studio Defendants’ summary judgment motion on the causal
18 nexus issue shall be continued by one week, as follows:

Defendants file motion for summary judgment on causal nexus issue	February 28, 2019
Plaintiffs email a letter to Defendants identifying the discovery Plaintiffs contend they need to oppose the motion	March 14, 2019
Deadline for parties to complete meet-and-confer on Plaintiffs’ discovery requests relating to motion	March 28, 2019

Parties file either:

April 11, 2019

a. Stipulation and proposed order with schedule (i) for completing agreed-upon discovery relating to motion and (ii) filing opposition and reply briefs on motion

or

b. Simultaneous letter briefs (each not to exceed five single-spaced pages) setting forth their respective positions on discovery requests and schedule for finishing discovery and briefing on motion

[2] Should the parties submit simultaneous letter briefs as set forth above, they shall submit a separate, jointly prepared summary of their meet-and-confer efforts. The first draft of such summary shall be prepared by Defendants and shall be served (but not filed) by April 5, 2019. Any proposed revisions shall be served by Plaintiffs by April 9, 2019. Defendants shall file the final version of the summary on April 11, 2019.

DATED: March 8, 2019

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Mark S. Carlson
Mark S. Carlson

Attorneys for Plaintiffs

DATED: March 8, 2019

MUNGER, TOLLES & OLSON LLP

By: /s/ Kelly Klaus¹
Kelly Klaus


Attorneys for Defendants

¹ Signed electronically by Mark S. Carlson with the concurrence of Kelly M. Klaus, pursuant to L.R. 5-1(i)(3).

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS ORDERED

March 12, 2019


The Honorable Jon S. Tigar
United States District Judge